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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,933	08/15/2005	Masayoshi Kawamoto	IKU00112PUSA	6888
22045 7590 09/03/2008 BROOKS KUSHMAN P.C. 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075			EXAMINER ABYANEH, ALI S	
			ART UNIT 2137	PAPER NUMBER
			MAIL DATE 09/03/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/517,933

**Applicant(s)**

KAWAMOTO ET AL.

**Examiner**

ALI S. ABYANEH

**Art Unit**

2137

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-9 and 11-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-9 and 11-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 02-08-2006 and 12-27-2005
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1, 3-9 and 11-20 are presented for examination.

### **Information Disclosure Statement PTO-1449**

2. The Information Disclosure Statement submitted by applicant on 02-08-2006 and 12-27-2005 has been considered. Please see attached PTO-1449.

### **Specification**

3. The abstract of the discloser is objected to because it contains numbers corresponding to elements in the figures.

### **Claim Rejections - 35 USC § 112**

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim recites: "for receiving the card writing data and for receiving the result of writing into the IC card from the base **so as to store it**", it is not clear as what is being stored. To provide clarity and avoid confusion examiner suggests to replace "so as to store it" with a phrase which clearly shows as what is being stored.

**Claim Rejections - 35 USC § 103**

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3-9 and 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior/conventional art in view of Tsuria et al. (US Patent No. 7,337,332 B2).

**Regarding claim 1, 5, 9 and 13**

Applicant admitted prior/conventional art teaches a card issuing system comprising a card issuing center (fig. 3, card issuing center 1) for storing card writing data including specific information such as a card number and/or personal information prepared based on a request for IC card application from a customer (background of the invention, page 2, lines 7-12), and a base for receiving the card writing data from the card issuing center via a network (fig.3 Business Base 2a) , writing them into the IC card and issuing the IC card (back ground of the invention, page 2, lines 15-17), wherein the card issuing center has a center communication means for transmitting the customer's card writing data to the bases via the network, and the base has a card communication mediate means for receiving the card writing data from the center communication means and

transmitting the card writing data to the IC card connected to a terminal (back ground of the invention, page 2 and fig. 3).

Admitted prior/conventional art does not explicitly teach mediate means transmitting the card writing data to the IC card connected to a terminal without storing them in the terminal of the base, thereby securing security of the specific information and/or the personal information included in the card writing data. However, in an analogous art, Tsuria teaches transmitting data without storing (column 7, lines 29-35).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the prior art to include transmitting data without storing. This would have been obvious because person having ordinary skill in the art at the time the invention was made would have been motivated to do so in order to enable content/data transfer by means of chaining (column 2, line 35-36).

**Regarding claim 3, 4, 11, 12, 14, 19 and 20**

Admitted prior/conventional art furthermore teaches, wherein the card issuing system has in the card issuing center a log management database for storing a communication result such that the card writing data have been transmitted from the card issuing center to the base, and for receiving the card writing data and for receiving the result of writing into the IC card from the base so as to store it; and wherein the card issuing system has in the card issuing

center a control terminal authentication means for determining availability of an access to the card issuing center from the terminal in the base based on a control terminal authentication database in which authentication information specific to the terminal is stored (back ground of the invention, page 2 and block 16 and 17 of fig.3).

**Regarding claim 6, and 17**

Tsuria furthermore teaches wherein the terminal has a reader/writer authentication means for determining availability of an access to the terminal from a card reader/writer for writing the card writing data into the IC card based on a reader/writer authentication database into which authentication information specific to the card reader/writer is stored (column 7, lines 5-14).

**Regarding claim 7, 8, 15, 16 and 18**

Admitted prior/conventional art furthermore teaches, wherein the IC card is determined as authenticated or unauthenticated by using a key which is the same as an access key stored in the IC card; wherein a new IC card is issued to a customer or personal information and application programs in an issued IC card are rewritten in the base (fig.3).

### **Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Abyaneh whose telephone number is (571) 272-7961. The examiner can normally be reached on Monday-Friday from (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone numbers for the organization where this application or proceeding is assigned as (571) 273-8300 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Ali S Abyaneh/  
Examiner, Art Unit 2137  
08-28-2008

/Emmanuel L. Moise/  
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